

Order

Of the Bar Harbor Town Council

For the June 8, 2010 Town Meeting

It is hereby ordered that the following article be placed on the town meeting warrant with voting thereon to be held by Australian ballot.

Warrant Article

LAND USE ORDINANCE AMENDMENT – Definition of Commercial Agriculture and Appendix C Amendment – Shall an Ordinance dated February 2, 2010 and entitled “An amendment to revise the definition of Commercial Agriculture and amend Appendix C, Table of Permitted Uses” be enacted?

Commercial Agriculture

An amendment to revise the definition of Commercial Agriculture and amend Appendix C, Table of Permitted Uses.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE XII Construction and Definitions

§ 125-109 Definitions

AGRICULTURE, COMMERCIAL -- Production of crops or animals and involving more than five acres of cultivated soil or keeping of more than 100 poultry or other animals raised for meat or other by-product. This use may include accessory uses of retail, restaurant and transient accommodation. [Added 11-4-2003]

Key to Appendix C

Permissibility of Use

- a = Activity or structure allowed without a permit, provided it complies with all provisions of this chapter.
- b = Activity or structure requires approval through site plan review process before it may be commenced or built. [Amended 5-5-2003]
- c = Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built.
- l = Activity or structure requires permit issued by local Plumbing Inspector before it may be commenced or built.
- m = Minor site plan review required. [Added 11-3-2009]

blank space = activity prohibited.

Changes to Appendix C

District	Commercial Agriculture
Bar Harbor Corridor	
Bar Harbor Historic	
Bar Harbor Residential	
Downtown Business	
Downtown Residential	
Education District	<u>c</u>
Emery	<u>b</u>
Hulls Cove Business	<u>c</u>
Hulls Cove Historic	<u>m</u>
Hulls Cove Residential Corridor	<u>m</u>
Hulls Cove Rural	b
Indian Point Residential	<u>b</u>
Indian Point Rural	b
Industrial	
Ireson Hill Corridor	<u>c</u>
Ireson Hill Residential	<u>b</u>
McFarland Hill Residential	<u>b</u>
McFarland Hill Rural	b

Marine Research	
Otter Creek	<u>m</u>
Resource Protection	m
Salisbury Cove Corridor	<u>c</u>
Salisbury Cove Residential	<u>b</u>
Salisbury Cove Rural	b
Salisbury Cove Village	<u>b</u>
Schooner Head	
Scientific Research	
Shoreland General Development I	
Shoreland General Development II	<u>b</u>
Shoreland Limited Residential	<u>b</u>
Stream Protection	
Town Hill Business	<u>b</u>
Town Hill Residential Corridor	<u>m</u>
Town Hill Residential	<u>b</u>
Town Hill Rural	<u>b</u>

EXPLANATION: This language expands the definition of commercial agriculture to allow other accessory uses as part of the operation. Changes to allowances in districts are also proposed to be expanded.

Given under our hands and seal at Bar Harbor this ninth day of February 2010.

Municipal Officers of the Town of Bar Harbor

Sandy McFarland, Chair

Ruth A. Eveland, Vice Chair

Jane Disney, PhD.

Robert L. Jordan, Jr.

Peter St. Germain

Greg Veilleux

Paul A. Paradis, Secretary